

## **Rule 375-3-2-.01 Expiration of License and Identification Card: When Licenses and Identification Cards May Be Renewed. Revised Term of Driver's License, Permit, and Identification Card**

- (1) (a) Except as otherwise provided in this regulation or any Georgia or Federal provision, licenses and identification cards issued to citizens of the United States expire on the person's birthday in the eighth (8th) year after issuance.
- (b) (i) Except as provided in Paragraph (c), any person who is not a citizen of the United States who provides proof of lawful status in the United States that satisfies the requirements of 6 C.F.R. 37.11 and Ga. Admin. Comp. Ch. Comp. R. & Regs. R. 375-3-1-.02, and is otherwise eligible for the issuance of a driver's license, permit, or identification card may be issued a temporary driver's license, permit, or special-identification card. Such temporary driver's license, permit, or special-identification card shall be valid only during the lesser of the period of time of the applicant's authorized stay in the United States as reflected on such documentation or the maximum term ~~allowed by Georgia statute~~ which is five (5) years, and shall reflect that it is issued for a limited term.
- (ii) Any person who presents immigration documentation that does not bear an expiration date shall be eligible for a temporary driver's license, permit, or special-identification card valid for one (1) year, unless the person's immigration documentation, as confirmed pursuant to O.C.G.A. §40-5-21.2, indicates that they are an approved asylee, refugee, or lawful permanent resident. The card shall reflect that it is issued for a limited term.
  - 1) Asylees, refugees, and lawful permanent residents holding verifiable immigration documentation thereof that does not bear an expiration date shall be eligible for a temporary driver's license, permit, or identification card valid for up to five (5) years. The card shall reflect that it is issued for a limited term.
- (iii) Pursuant to H.R. 3398, the "Real Id Act Modification for Freely Associated States Act," a citizen of the Republic of the Marshall Islands, the Federated States of Micronesia, or the Republic of Palau who has been admitted to the United States as a nonimmigrant pursuant to a Compact of Free Association between the United States and the Republic or Federated States is eligible for a driver's license or identification card valid for up to eight (8) years or the expiration date of their immigration documents, whichever is sooner. The card shall reflect that it is issued for a limited term. Individuals must provide an unexpired Freely Associated States (FAS) passport with the appropriate country code and one of the following:
  - 1) I-766/Employee Authorization Document (EAD) listing the COA (Class of Admission) Category Code of A08; or
  - 2) I-94 document
- (c) Non-citizen customers who have a limited-term Georgia driver's license, permit, or identification card that has expired or will expire within thirty (30) days of making application for renewal may be issued a temporary driving permit or identification

card thereof valid for 120 days if they present documentation showing that they have applied for, but not received, an extension of their previously verified lawful immigration status. No additional temporary driving permits or identification cards shall be issued upon expiration of the 120 day-period pursuant to O.C.G.A. § 40-5-21.1. The card shall reflect that it is issued for a limited term.

(d) No temporary license, permit, or ~~special~~-identification card issued pursuant to this regulation shall be renewed by any means other than in person.

(e) Veterans' licenses and veterans' identification cards shall be valid for eight (8) years.

(2) Licenses and identification cards may be renewed up to one hundred fifty (150) days prior to the date of expiration. No license or identification card may be renewed prior to that time without prior approval by the Commissioner or his designee. Such a renewal will terminate the license or identification card renewed, and no rebate of fees will be authorized.

(3) Each customer applying for renewal of a license, permit or identification card ~~on or after July 1, 2012~~ shall present documentation of his or her identity, citizenship or lawful status in the United States, and residence in the State of Georgia as provided in Ga. Comp. R. & Regs. R. 375-3-1-.02 and the REAL ID Act (as regulated by 6 C.F.R. 37-).

**Authority: O.C.G.A. §§ 40-5-4, 40-16-2, 40-16-3, 40-16-4, 40-16-5, 40-5-21.1, 40-5-32, 40-5-100(b), and 40-5-172(a).**

## **SYNOPSIS**

### **STATEMENT OF PURPOSE AND MAIN FEATURES OF PROPOSED RULE**

The purpose of this amendment is to align the rule with current DHS guidelines and DDS practices regarding the term of licenses and identification cards for asylees, refugees, and lawful permanent residents. The documentation requirements and term of licenses and identification cards for citizens of the Republic of the Marshall Islands, the Federated States of Micronesia, or the Republic of Palau is added.

### **DIFFERENCE BETWEEN EXISTING AND PROPOSED RULE**

The proposed amendment allows for asylees, refugees, and lawful permanent residents holding verifiable immigration documentation that does not bear an expiration date to be eligible for up to a five-year term. The maximum term for non-citizen customers is specified to be five years. Any driver's license, permit, and identification card issued to non-citizen customers shall reflect that it is issued for a limited term. Citizens of the Republic of the Marshall Islands, the Federated States of Micronesia, or the Republic of Palau that provide an unexpired Freely Associated States passport with the appropriate country code and either an Employment Authorization Document with category code A08 or an I-94 document are eligible for up to an eight-year term. A past date and the term "special" are removed. The rule title is updated to reflect to what this rule is referring.